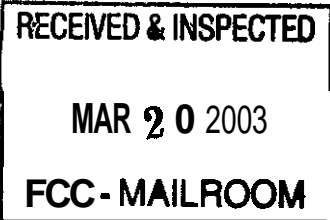


OAKLAND UNIFIED SCHOOL DISTRICT  
1025 SECOND AVENUE, OAKLAND, CALIFORNIA 94606



March 18, 2003

DOCKET FILE COPY ORIGINAL

Federal Communications Commission (FCC)  
Office of the Secretary  
445-12<sup>th</sup> St. SW  
Washington, DC 20554

Dear Sir or Madam:

Re: Docket No. 96-45 and 97-21  
Appeal to the FCC for Oakland Unified School District and **Freedom of Information Act** request

Billed Entity Number: 144227

471 Application Number: 327579  
Funding Request Number: 879484

471 Application Number: 327586  
Funding Request Number: 879511

471 Application Number: 327574  
Funding Request Number: 879465, 879467,  
879468, 879469,  
879470, 879471

Administrator's Decision on Appeal: January 21, 2003

Oakland Unified School District (District) respectfully disagrees with the Schools and Libraries Administrator in denying funds to the District. This appeal letter applies to all the above reference funding requests. The denial letter was titled: **Rejection for Non-Receipt of Requested Information FY 5 (2003-2004) FCC Form 471** and was received on May 21, 2002.

The SLD in its rejection letter failed to address the issue upon which the appeal was based, that of the SLD's process which was flawed. It should be noted that the SLD changed their process following conversations with the SLD administrators and Oakland

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Unified School District. The processes, which were flawed and have since been corrected:

1. Inability of School District contact person to directly call back the Processing Center personnel to respond to questions they may pose via FAX, email or Phone Conversations. The center only allowed messages to be left, thus requiring the school district contact person to sit by the phone to await the SLD Processing Center personnel's return phone call.
2. Furthermore the SLD denial failed to address the issue of having only one FAX number. Having one FAX required someone to distribute FAX's to the proper personnel and apparently this system failed which is not surprising due to the large number of requests and reviewers.
3. The SLD's response does not address the issue that Oakland USD raises, which is the inability of the school district personnel to know that the proper person received the FAX. The act of sending an E-Mail or a FAX and receiving either a FAX receipt confirmation or in the case of E-mail, not receiving an error message, does not ensure that the proper person received the FAX or email. And often (as many school districts will attest) the SLD makes multiple requests for information via FAX because often the SLD employee for whom a FAX was intended does not always receive them.

The SLD uses a different method in the summer as they note many school personnel are not available. The SLD waits until the person is actually notified via two-way communication. Thus the SLD applies a different standard for summer reviews than during the rest of the year. This is important as the contact person at Oakland USD was under the impression that all the materials were received, and had in fact sent an FAX to the SLD processing center asking that they confirm that they had received all the data after the date of 4/10/2002 cited in the denial letter. See attached FAX (attachment 1).

Finally Oakland USD requests all documents, including emails, memos, and FAX's relating to the above referenced Form 471's between the processing center, Oakland USD employees and SLD Administrators as required under the Freedom on Information Act

Oakland USD respectfully requests that the appeal be overturned and that the data be inputted for **Y5**.

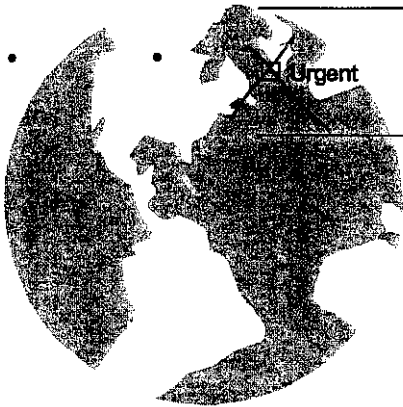
Sincerely,

A handwritten signature in black ink, appearing to read "Peter Hatcher", with a long horizontal line extending to the right.

Peter Hatcher  
Director, Technology Services  
Oakland Unified School District

## facsimile transmittal

To: Mr. Jason Johnson Fax: \_\_\_\_\_  
From: Rax Hanson Date: 5/2/2002  
Re: \_\_\_\_\_ Pages: 2  
CC: \_\_\_\_\_



☒ Urgent

☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

please deliver to  
Mr. Johnson A.S.A.P.

Thanks,

Rax Hanson

Dear Mr. Jason Johnson,

Ref. Case Number **117497**

Erate Year **5** Form **471**

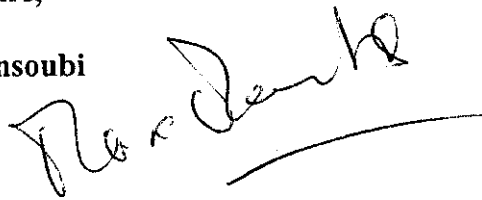
Contact person: Max Mansoubi

When is the best time for you to have a phone conversation and to go over our Year **5** application. I do need to speak with you, because it seems none of our faxes has ever arrived **to** your office.

Please either leave me a voice mail at **(510)879-8074**.or email me at **Mansoubi@ousd.k12.ca.us**.

Sincerely yours,

**Dr. Max Mansoubi**

A handwritten signature in black ink, appearing to read "Dr. Max Mansoubi", with a long horizontal line underneath.